

Adopted	Rejected
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COMMITTEE REPORT

YES:	21
NO:	1

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the committee report of the House committee on public
- 2 health adopted January 24, 2002.
- 3 Delete the title and insert the following:
- 4 A BILL FOR AN ACT to amend the Indiana Code concerning
- 5 Medicaid and to make an appropriation.
- 6 Delete everything after the enacting clause and insert the following:
- 7 SECTION 1. IC 12-15-14.5 IS ADDED TO THE INDIANA CODE
- 8 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 9 UPON PASSAGE]:
- 10 **Chapter 14.5. Health Facility Fee**
- 11 **Sec. 1. As used in this chapter, "bed" means an occupied bed in**
- 12 **a health facility.**
- 13 **Sec. 2. As used in this chapter, "fee" refers to a fee imposed**
- 14 **under this chapter.**
- 15 **Sec. 3. As used in this chapter, "health facility" means a health**

1 facility that is licenced under IC 16-28.

2 Sec. 4. Subject to section 9 of this chapter, a daily fee is imposed
3 against a health facility for each day that the health facility is
4 operated after June 30, 2002, and before July 1, 2004.

5 Sec. 5. The amount of the fee imposed under this chapter is
6 equal to the number of beds in a health facility on a particular day
7 multiplied by four dollars (\$4).

8 Sec. 6. The office may determine the manner of payment of the
9 fee.

10 Sec. 7. A health facility shall pay a fee to the office not more
11 than thirty (30) days after receiving notice that the payment is due.

12 Sec. 8. If a health facility does not pay a fee within the time
13 allowed under section 7 of this chapter, the office may do the
14 following:

15 (1) Deduct the amount of the fee from any Medicaid
16 reimbursement otherwise due to the health facility.

17 (2) If a health facility is not certified to participate in the
18 Medicaid program, charge interest on the unpaid fees at an
19 annual interest rate determined by the office.

20 (3) Impose any other penalty that the office determines is
21 appropriate.

22 (4) Take action to collect a fee imposed by this chapter.

23 Sec. 9. (a) The fees required by this chapter do not apply to any
24 day before the date designated by the federal government in its
25 approval as the first day that federal financial participation funds
26 may be used to match the fees collected under this chapter.

27 (b) If federal financial participation funds to match the fees
28 collected under this chapter become unavailable under federal law,
29 the authority of the office to assess a fee under this chapter
30 terminates on the date that a federal statute, regulation, or
31 interpretation that eliminates matching federal financial
32 participation funds takes effect or the office loses approval for
33 matching federal financial participation funds.

34 Sec. 10. Money collected from fees imposed under this chapter
35 shall be used for expenditures of the state Medicaid program.

36 Sec. 11. The office may adopt rules under IC 4-22-2 to carry out
37 this chapter.

38 Sec. 12. This chapter expires August 1, 2004.

1 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "office" refers to the office of Medicaid policy and
3 planning established by IC 12-8-6-1.

4 (b) The office may adopt temporary rules in the manner
5 provided for the adoption of emergency rules under IC 4-22-2-37.1
6 to implement IC 12-15-14.5, as added by this act. A temporary rule
7 adopted under this SECTION expires on the earliest of the
8 following:

9 (1) The date that another temporary rule adopted under this
10 SECTION supersedes the prior temporary rule.

11 (2) The date that a permanent rule adopted under IC 4-22-2
12 supersedes a temporary rule adopted under this SECTION.

13 (3) July 1, 2003.

14 (c) The office shall, as soon as practicable, seek approval for
15 federal financial participation funds to match the fees collected
16 under IC 12-15-14.5, as added by this act.

17 SECTION 3. An emergency is declared for this act.

(Reference is to HB 1258 as introduced and as amended by the
committee report of the House committee on public health adopted
January 24, 2002.)

and when so amended that said bill do pass.

Representative Bauer